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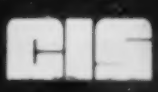

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ANNUAL REPORT

OF THE

COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR THE PERIOD COVERING JANUARY 1 THROUGH DECEMBER 31, 1987

ONE HUNDREDTH CONGRESS

SECOND SESSION

A REPORT TO CONGRESS

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I. INTRODUCTION

This report, covering the activities of the Commission on Security and Cooperation in Europe during the period January 1, 1987 through December 31, 1987, has been prepared in accordance with Public Law 94-304.

Commission Background

Created in 1976 by Public Law 94-304 as an independent agency, the Commission on Security and Cooperation in Europe is charged with monitoring and encouraging compliance with all provisions of the Final Act of the Conference on Security and Cooperation in Europe (CSCE). Signed on August 1, 1975 in Helsinki, Finland by the heads of state of 35 nations, the Final Act encompasses nearly every aspect of East-West relations including military security, trade and economic cooperation, human rights and scientific and cultural exchanges.

The Helsinki Commission, as it is commonly known, is composed of 21 legislative and executive branch officials, 9 each from the House of Representatives and Senate, and 1 from the Departments of State, Defense, and Commerce. During the 1st session of the 100th Congress, the Chairman of the Commission was Representative Steny H. Hoyer (D-MD) and the Cochairman was Senator Dennis DeConcini (D-AZ). [A list of Commissioners for the 100th Congress is attached as Appendix I and all legislation relating to the Commission is contained in Appendix II.]

The Commission's mandate, as outlined in Public Law 94-304, is to "monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Human Rights and Cooperation in Humanitarian Fields." The Commission is further authorized and directed to "monitor and encourage the development of programs and activities of the U.S. Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West." Carrying out its mandate, the Commission actively documents violations of the Final Act, promotes public awareness of implementation of its provisions and is consulted on the formulation of U.S. Government policy on CSCE issues.

Monitoring compliance with the Final Act is the Commission's main activity. Public hearings with expert witnesses are regularly held on such issues as religious intolerance; the 1952 McCarran-Walter Act; Soviet and East European emigration policies; martial law in Poland; human rights violations in Ukraine; religious and national dissent in Lithuania; the Soviet invasion of Afghanistan; forced labor in the Soviet Union; restrictions on cultural freedom; and the future of the CSCE process.

Much of the Commission's daily activity focuses on human rights casework. Visa denials, political prisoners, and other human rights violations are followed closely. The staff compiles and disseminates information on these cases and advises family members, congressional offices and interested nongovernmental organizations (NGOs) on steps to resolve them.

NGOs are a primary source of information for the Commission as well as a major channel through which the Commission publicizes its work. The Commission is geared to bring the particular CSCE-related concerns of private groups to the

attention of the Government decision-makers. In turn, the Commission endeavors to make governmental policies and activities regarding CSCE more accessible to NGOs.

The Commission plays a unique role in assisting in the planning and executing of U.S. policy in various CSCE fora, beginning with the Belgrade Follow-Up Meeting of 1977-78 and including the Madrid Follow-Up Meeting of 1980-83 as well as the Vienna Follow-Up Meeting, currently underway. Commissioners and staff hold periodic meetings with officials of the executive branch on CSCE policy and implementation. The Commission participates on U.S. Government delegations to CSCE meetings and engages in high-level consultations with other Governments which are signatories to the Final Act.

Staffing

The Commission is authorized 15 permanent staff positions. During 1987, the staff consisted of the Staff Director, appointed by the Chairman and Cochairman; the Deputy Staff Director/General Counsel; Senior Staff Consultant; a press officer; nine professional staff members; and two administrative support personnel consisting of the Office Manager and Administrative Assistant. The hiring, firing, and fixing of pay of new or additional staff of the Commission must be approved by the Commission's Personnel and Administration Committee which consists of the Chairman, Cochairman and the ranking minority Members from the House and Senate. [Brief biographies of each staff member and a description of their Commission responsibilities can be found in Appendix III.]

Funding

Under Public Law 94-304, amended by Public Law 99-7, there are authorized to be appropriated for each fiscal year "such sums as may be necessary to enable it (the Commission) to carry out its duties and functions." Appropriations to the Commission are authorized to remain available until expended. For fiscal year 1987, the Commission was appropriated $526,000. In addition, under Title IV, Miscellaneous Provisions, of Public Law 96-60, there is authorized and appropriated each fiscal year $6,000 which may be used for official reception and representation expenses.

II. THE HELSINKI PROCESS

On August 1, 1975, the heads of state of 35 nations signed the Final Act of the Conference on Security and Cooperation in Europe, commonly known as the Helsinki Agreement. The document covers three major components of East-West relations: security; economic, industrial and scientific cooperation; and humanitarian issues including basic human rights and specific concerns such as family reunification, travel, information flow, and educational and cultural cooperation.

The document itself is comprised of three sections, popularly known as "baskets." The first basket contains 10 principles "guiding relations between states," including: inviolability of frontiers (Principle III), non-intervention in internal affairs (Principle VI), respect for human rights and fundamental freedoms (Principle VII), and self-determination of peoples (Principle VIII). In addition, Basket I deals with certain aspects of military security and disarmament, known as confidence-building measures (CBMs).

Basket II discusses cooperation in the economic sphere, including science and technology. There is also a section

known as Basket II B, which deals with issues of security and cooperation in the Mediterranean.

Basket III calls for and encourages cooperation in the humanitarian fields: expansion of human contacts across borders; improvement of access to printed and broadcast information; improvement in the working conditions of journalists; as well as expansion of cultural and educational cooperation.

Finally, there is a section entitled "Follow-up to the Conference," which calls for experts meetings and periodic review meetings of the 35 states.

In accordance with the desire of the signatories, the Final Act is not a legally binding document. In fact, the Final Act states that it is not eligible for registration as a treaty or international agreement under Article 102 of the United Nations Charter.

Nevertheless, the participating States generally accept the proposition that, by signing the Final Act, they have given solemn, political commitments to fulfill their declared intentions. They can be held publicly, if not legally, accountable by other signatories. So accepted is this concept that not one of the participating States has used the nonbinding nature of the Final Act as a defense against nonfulfillment of its provisions.

Another concept agreed upon by all 35 signatories is that all areas of the Final Act are of equal importance. No one section of the document is to be emphasized at the expense of another, and conversely, no area is to be ignored or relegated to a lower status.

The Helsinki Final Act's unique follow-up provisions call for periodic major review meetings. These gatherings are an important means by which a signatory state may be taken to task publically for the violation of Helsinki standards. From the beginning, Helsinki signatories have acknowledged that full implementation of the Accords' provisions would not be accomplished overnight and that CSCE necessarily will be a long-term process.

To understand advances made during the follow-up meetings and the limits on them, it is necessary to realize that CSCE rules require unanimous consent for all decisions. Each country has veto power and can reject any proposal or document by withholding its consensus. In addition, all procedural or administrative decisions must be arrived at by consensus.

The first such follow-up took place in Belgrade between October 1977 and March 1978. A relatively new ingredient in East-West diplomacy emerged: recognition of human rights as an integral aspect of East-West relations. Though the participants agreed on very few points, the 35 states did agree to meet again in Madrid in 1980. In addition to the two meetings of experts called for in the Final Act, the Hamburg Scientific Forum (1980) and the Montreaux Meeting on the Peaceful Settlement of Disputes (1978), a third, the Valletta (Malta) Meeting on Cooperation in the Mediterranean (1979), was agreed to at Belgrade.

While the first CSCE follow-up meeting yielded a terse communique, the second review meeting in Madrid, which spanned a 3-year period (November 1980 to September 1983), ended with a comprehensive concluding document promising improved East-West relations.

A successor to the Madrid Follow-Up Meeting was agreed to be held in Vienna, Austria, beginning November 4, 1986, and six meetings of experts were also agreed to be held on such issues as human rights, human contacts, and culture. These meetings have created, in effect, a continuing framework for the consideration of a broad range of East-West issues.

In January 1984, the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE) began and lasted through September 19, 1986. Representatives reached consensus on a package of concrete militarily significant measures which build upon the Helsinki Final Act. Other experts meetings included the Athens Meeting on Peaceful Settlement of Disputes (PSD), held in the spring of 1984 during which no consensus was reached.

The Venice seminar on Economic, Scientific and Cultural Cooperation in the Mediterranean, a follow up to the Valletta Meeting of Experts, convened in October 1984 and focused on relations between the more prosperous CSCE countries and the poorer Mediterranean states.

The Ottawa Human Rights Experts Meeting which convened in May 1985 and lasted 6 weeks, issued calls for increased respect for human rights and fundamental freedoms among and within Helsinki signatory nations. A common human rights agenda was not reached and the meeting failed to draw further conclusions or recommendations.

At the invitation of the Government of Hungary, a 6-week Cultural Forum convened in Budapest on October 15, 1985. The Forum, attended by "leading personalities in the field of culture from the participating States," was mandated to discuss "interrelated problems concerning creation, dissemination and cooperation, including the promotion and expansion of contacts and exchanges in the different fields of culture."

A Human Contacts Experts Meeting was convened at Bern, Switzerland, in April 1986. The major goal was to examine development of contacts among persons, institutions and organizations.

The third follow-up meeting currently underway in Vienna is expected to continue through the spring of 1988. Though substantial differences divide East and West, especially in areas of human rights adherence, a common willingness to discuss and examine areas of concern propel the Helsinki process forward.

III. VIENNA FOLLOW-UP MEETING

Role of the Commission

The Vienna Follow-Up Meeting which began November 4, 1986, remained a major focus of the Commission during 1987. Chairman Hoyer made several trips to the meeting during the course of the year and also visited the Soviet Union and a number of East European countries for discussion of human rights, military security and other matters related to the Vienna proceedings. He also participated in meetings of the North Atlantic Assembly in Canada where further discussions on the Vienna meeting were held.

A Commission-sponsored delegation led by Commission Chairman Hoyer, who is also Vice Chairman of the U.S. delegation to the Vienna meeting, visited Vienna in mid-February. The delegation included Commissioner Christopher Smith (R-NJ), and Representatives Albert Bustamante (D-TX) and Benjamin Gilman (R-NY). Mr. Hoyer addressed the Vienna plenary meeting in February and introduced, on behalf of the NATO countries, two human rights proposals concerning the plight of persons in confinement and the contribution of unofficial individuals and groups to the CSCE process. Later the delegation participated in a press conference and held meetings with the Soviet and Romanian delegations at which glasnost and human rights abuses were the main topics.

As part of the on-going policy directive set by the Chairman to establish direct contacts with all of the East and Central European countries, the delegation then went to Prague, the first such visit by the Commission. Two days of talks were held with Czechoslovak officials and private citizens including representatives of Charter 77 and the Jazz Section. When some of these private citizens were forcibly prevented from meeting with the delegation, this was reported and strongly protested at the Vienna meeting.

In April, Mr. Hoyer accompanied Speaker Jim Wright and others on a trip to the Soviet Union where they met with General Secretary Gorbachev, Politburo member Yegor Ligachev, Foreign Minister Eduard Shevardnadze, Secretary Anatoly Dobrynin, President of the Supreme Soviet Andrei Gromyko, and numerous human rights activists, divided family members and refuseniks. The meetings were used by high-ranking Soviet officials to stress the themes of East-West cooperation and partnership and urge support for the Soviet proposal put forward at Vienna for a Moscow conference on humanitarian concerns. The range of issues put forward by the Wright delegation were broad with a major focus on reducing tensions through arms control and increased respect for human rights and fundamental freedoms.

In August, Chairman Hoyer led a Commission delegation to Romania and Bulgaria. He was accompanied by Commission members Bill Richardson (D-NM) and State Department Assistant Secretary for Human Rights and Humanitarian Affairs, Richard Schifter. Senator Frank Lautenberg (D-NJ), also a Commissioner, participated in the Romanian portion of the trip and visited Poland and the USSR as well. Representative Jim Moody (D-WI) joined the delegation in Romania before leaving for the Soviet Union. A considerable part of the discussions during these visits centered on the Vienna meeting as well as human rights concerns across the board and current arms control proposals.

Among the party, government and parliamentary leaders which the delegation met with were, in Romania, President Ceausescu, Foreign Minister Ioan Totu and Foreign Trade Minister Ilie Vaduva, and in Bulgaria, President Zhivkov, Foreign Trade Minister Andrey Lukanov, Deputy Foreign Minister Lyuben Gotsev, and National Assembly Chairman Stanko Todorov. In Romania, the delegation concentrated on religious freedom and met with Orthodox, Baptist and Jewish leaders as well as representatives of the Adventists, Pentecostal, and Catholic Churches. The delegation focused on national minority issues during its visits to Brasov and Sfintu Gheorge. Dialogue on human rights, particularly the Turkish minority issue, emigration in general, and economic reform dominated Commission discussions in Bulgaria.

In October, the Chairman led a delegation composed of Representatives Benjamin Cardin (D-MD), Jan Myers (R-KA) and Larry Smith (D-FL) to Vienna and the German Democratic Republic. In Vienna, Mr. Hoyer gave a speech in the plenary meeting in which he emphasized the link between human rights and military security. The delegation had extensive meetings with the Soviet and Bulgarian delegations on a wide range of CSCE matters. Human rights was a main concern. Senator Timothy Wirth (D-CO), also a Commissioner, participated actively in the Vienna program and remained a few days longer for further discussions.

Other members of the delegation visited Berlin (East and West) and the German Democratic Republic (GDR), October 10-13. They had meetings with religious leaders, peace and human rights activists and national leaders including GDR Party Secretary Axen and Foreign Minister Fischer. Again, the discussions focused on human rights and other concerns directly related to the Vienna meeting with particular emphasis on and

concern over laws and institutions which inhibit freedom of travel, religion and expression.

In addition to the participation of the CSCE Commissioners and other Members of Congress in the Vienna proceedings, the Commission staff was also active. Staff members on the U.S. delegation to the Vienna meetings were given full responsibility for delegation work including negotiations. The Staff Director continued to function as Deputy Chairman of the U.S. delegation with overall responsibility for human rights and human contacts questions. Other staff members worked in these areas and in Basket II on economic cooperation. During the three phases of the Vienna meeting in 1987 (II - January 27-April 10; III - May 4-July 31; IV - September 22-December 18), about one-third of the Commission staff was fully engaged in the negotiations of the Vienna meeting. The staff participation involved substantive work on human rights and trade, congressional and NGO relations, and delegation policy and tactics.

The Commission staff in Washington provided essential support to the delegation. In addition, the Commission held a number of hearings and conducted other activities which had a direct bearing on the Vienna meeting. These activities were fully utilized by the U.S. delegation in the proceedings at Vienna.

Developments at the Vienna Meeting

The main activity of the Vienna meeting throughout 1987 was the presentation and negotiation of proposals for inclusion in the Concluding Document of the meeting. The number (over 160), complexity and controversial nature of these proposals led to the Vienna meeting being extended well beyond its target closing date of July 31. These factors, along with other elements such as continuing major shortcomings by the East in implementing existing commitments, are largely responsible for the continuation of the Vienna meeting into 1988.

Phase II

The second phase of the Vienna meeting (January 27-April 10) was devoted to the conclusion of the implementation review and the beginning of consideration of new proposals. These proposals were divided between those aimed at improvement of implementation of existing commitments and those designed to further develop the Helsinki process. The latter proposals were generally suggestions for experts meetings on specific issues of East-West relations such as the environment, scientific and economic cooperation, military security questions and human rights concerns. Over 30 proposals of this type were put forward. The examination of all proposals provided an opportunity for further review of the record of compliance to date during which, considerable attention was focused on the significance and long-term impact of glasnost.

Five subsidiary working bodies were established and then transformed into drafting groups to work on these proposals. The five groups were: Basket I - principles and military security; Basket II - economic, scientific and environmental cooperation; Basket III - humanitarian cooperation; Mediterranean issues; and followup activities after Vienna. The major proposals put forward by the Western countries focused on human rights. The Eastern proposals concentrated on economic and social rights, military security and a meeting in Moscow on human contacts. Both sides also had major proposals in the economic sphere. Simultaneously, the Western countries led by the United States maintained a steady insistence on improved implementation of existing Helsinki obligations,

particularly in the area of human rights.

Phase III

The slow pace of progress already evident in Phase II continued throughout the next phase. Each side defended its own proposals but showed little disposition to begin the process of compromise which could lead to the end of the meeting. The main procedural development during this phase was the appointment of coordinators from the neutral and nonaligned (NNa) states to guide the work of the drafting groups. This development provided greater order and structure for the proceedings but did little to advance the work or to induce compromises.

Other major developments during this phase were the introduction of the long-awaited Western proposal on military security and the tabling of a comprehensive compromise in Basket III by two neutral delegations, Austria and Switzerland. Both proposals were put forth at the very end of the phase and thus had little immediate impact.

The Western (NATO) proposal on military security questions was designed as a response to the Eastern proposal which envisioned two main objectives: another round of negotiations on confidence- and security-building measures to followup on the successful Stockholm meeting and the initiation of negotiations on conventional disarmament, all within the same CSCE forum. The Western response to this proposal was delayed primarily because of United States and French differences over the connection between the conventional arms negotiations and the CSCE process, the French arguing that the negotiations should be directly a part of the process and the United States insisting that they be independent. The issue was resolved by agreement that the negotiations should be within the framework of the CSCE, but should remain autonomous.

The Austro-Swiss compromise on Basket III - human contacts and humanitarian matters - came as a surprise on the next to last day of the third round. The comprehensive draft proposal of the two neutral countries contained 56 paragraphs covering virtually every subject under discussion in this drafting group. Although the paper contained many points favorable to the Western point of view, the draft also contained points which would be difficult for the West to accept. All in all, however, the Austro-Swiss initiative represented a step forward in that it concentrated the attention of all the participants on one set of proposals.

Phase IV

The last phase of the Vienna meeting in 1987 (September 22-December 28) continued the slow progress of the preceding phases but came far from producing a final result. The greatest drafting progress registered by the end phase IV was in the area of military security where the Soviets, anxious to advance this, for them a priority area, agreed to a number of Western proposals. However, even in this area Soviet agreement was on relatively uncomplicated issues such as assessment of results of the Stockholm CDE meeting and non-controversial preambular language. Nevertheless, several major differences remained to be resolved including the inclusion or exclusion of tactical nuclear weapons in the conventional arms negotiations and the exact relationship of the conventional negotiations to the CSCE process. High-level political decisions will be required to resolve the issues.

In the human rights area, on the other hand, progress was much slower. The Soviet Union and its allies, somewhat surprisingly, agreed to take the comprehensive Austro-Swiss

proposal as a "point of departure" in the drafting negotiations in Basket III. At the same time, the Soviets and their friends deployed a strategy to undermine the Austro-Swiss effort by introducing over 200 amendments to the neutral paper. The West offered only a handful of suggestions. Romania exceeded even the Soviet Union in its objections to the proposal. A second part of the Eastern strategy which surfaced toward the end of the phase was to persuade the neutral coordinator to introduce a comprehensive paper of his own which the East hoped would be more to its liking. At the same time, the Eastern countries hinted that a proposal with the coordinator's imprimatur would find more acceptance in their capitals. With only 3 paragraphs out of a total of 56 in the Austro-Swiss proposal having received provisional agreement by the end of the phase, the Swedish coordinator did decide to present a comprehensive proposal of his own at the end. Although this proposal took into account the preceding discussions on all points at issue, it hewed closely to the Austro-Swiss draft in virtually all important respects including freedom of movement and kept to a minimum any exceptions to this freedom.

In the Principle's drafting group, the Eastern countries appeared somewhat less intransigent than in Basket III, possibly because the commitments being discussed were less specific. Nevertheless, on many critical questions, such as freedom of travel, freedom of religion, Helsinki monitors and rights of minorities, they continued to show little flexibility. Unlike Basket III, the Principle's group did not have a common text to consider. Instead, the discussion focused on the various proposals put forward by the different sides. At the end of the phase, however, the neutral coordinator (Austria) put forward a comprehensive paper recapitulating the areas of agreement and the areas still in dispute. The latter were much more numerous than the former although there was considerable progress in some sections such as terrorism and persons in confinement. Finally, while there was no actual drafting progress on the major Western proposal for an ongoing mechanism for resolving human rights problems including a meeting and a conference to assess the results of the mechanism, the Soviets appeared to accept the concept of a mechanism in principle. At the same time, their version of the mandate for the mechanism was woefully inadequate. Furthermore, the Soviets seemed also to insist that their acceptance of the mechanism and subsequent assessment meetings or conferences depended on Western agreement to their proposal for a human rights/contacts conference in Moscow. To this idea, there was strong silence from the West.

IV. MONITORING COMPLIANCE

Human Rights Casework

During 1987, the Commission devoted considerable time and resources to monitoring the human rights provisions of the Helsinki Final Act. This aspect of the Commission's work was intensified as expectations increased with the noticeable changes in the human rights picture in the Soviet Union and with an anticipated United States-Soviet summit which eventually took place in December 1987. In documenting human rights violations, the Commission relied on information received from individuals, private and governmental organizations in the United States and Europe, as well as such sources as State Department cables, Foreign Broadcast

Information and Joint Publications Research Service translations of official government statements, East and West European and Soviet media and emigre press.

Documentation is organized into two categories of files: (1) issue files that provide general information, statistics, and analysis on various aspects of human rights such as topical reports on national, cultural and social problems, and (2) case files containing specific information on individuals whose cases become known to the Commission. Besides basic personal information, case files also document congressional action taken on behalf of the individual in question. These files are regularly updated as new information becomes available. A list of Soviet political prisoners prepared by the staff was presented by Chairman Hoyer to Foreign Minister Shevardnadze in Moscow, April 1987. The early release of numerous Soviet political prisoners in the early months of 1987 necessitated the creation of a computer file on early releases.

The voluminous Commission files are used by the Commission for researching reports, and preparing background information for congressional hearings, "op-ed" pieces, Congressional Record statements and speeches, as well as providing briefing material for Commissioners and other Members of Congress visiting Eastern and Central Europe, the Soviet Union, and the Vienna Follow-Up Meeting. Commission files were an important resource for responding to congressional and public inquiries and provided background for Members of Congress in preparation for the United States-Soviet "telebridge" in the fall of 1987.

During 1987, the Commission continued to update lists of imprisoned Helsinki monitors and other political prisoners, and also those released ahead of schedule in 1987; nominated the Czechoslovak human rights group, Charter 77, for the 1987 Nobel Peace Prize; provided information, briefings, and assistance to governmental and private organizations on various Helsinki-related issues; and interviewed recent arrivals from the Soviet Union and other Warsaw Pact states to learn of recent developments in their respective areas.

In preparation for a 1988 report on the first 3 years under General Secretary Gorbachev, three professional staff members visited the Soviet Union in December 1987 and conducted lengthy interviews with Soviet officials, press, members of the dissident community, and other private individuals. The trip included the cities of Leningrad (RSFSR), Tbilisi, Kiev, Moscow, and Vilnius. Discussions were held and interviews conducted with various representatives of Soviet officialdom: journalists from Izvestiya, representatives of the USSR Institute on State and Law, the secretary of the Georgian Cinematographers Union, members of the Ukrainian Writers Union, the head of the All-Union Council of Evangelical Christians and Baptists, and the chief of Vilnius OVIR. While in Moscow, the staff members attended the unofficial Moscow seminar on human rights, held December 10-15. Besides the RSFSR, the visit also included Georgia, Ukraine, and Lithuania, where the delegation met with a wide range of human rights activists, including former political prisoners and members of the various Helsinki monitoring groups that had been established following the signing of the accords in 1975. Upon returning to Washington, staff members provided interviews to the Voice of America on their experiences and impressions.

Economic Cooperation

The chapter of the Final Act entitled "Cooperation in the Field of Economics, of Science and Technology, and of the Environment," sets forth guidelines for East-West economic relations. The overall objective of this chapter, popularly

known as Basket II, has been to increase commercial and scientific exchange between the widely disparate economic systems of East and West. This stated objective was premised upon the principle that mutually beneficial economic and scientific cooperation promotes understanding among states, thereby contributing to the umbrella goal of maintaining peace and security in Europe.

The Commission closely followed East-West trade developments, some of which was reported upon and analyzed in the CSCE Digest. In March, the Commission issued its comprehensive report on Soviet and East European implementation of Basket II for the period November 1982 through January 1987.

Regarding United States/East-West trade policy, in April 1987, Chairman Hoyer offered an amendment to the House trade bill calling for enforcement of existing law barring U.S. importation of Soviet goods made with the use of forced labor. The Commission has actively pressed for this action since 1983, when the U.S. Customs Service, responsible for enforcing the law, suggested that it had sufficient information to bar the import of several items made in the USSR. The amendment was adopted by the House, but the trade bill remains in House-Senate conference.

While much of Basket II is made up of provisions to be implemented, unilaterally or on a bilateral basis, certain provisions call for multilateral action to be taken at the United Nations Economic Commission for Europe (ECE), located in Geneva, Switzerland. Thus the ECE discusses implementation of Basket II and implements some provisions itself, such as those on the environment. In 1987, the Commission participated in preparations for the annual ECE plenary session and in the meeting of the ECE's Committee on the Development of Trade. This traditional Commission involvement was beneficial in stressing a CSCE viewpoint in a U.N. forum. At the plenary session, the overall tone of the meeting was less confrontational than in previous years, particularly in light of the United Nation's budgetary crisis. Most of the final resolutions reflected Western concerns, such as strengthening ECE work on environmental matters. Agreement was reached to convene a meeting on energy matters in 1988.

The ECE Trade Committee meeting also took place in a cooperative atmosphere, although the Eastern countries in the end, blocked agreement on future activities by refusing to allow greater ECE examination of the problems created by countertrade (i.e., when a buyer of goods insists that a seller accept products rather than hard currency as payment) in East-West trade. Commission staff, as members of the U.S. delegation, drafted statements on U.S. trade policy, countertrade, and East-West joint ventures and assisted in the development of negotiating strategy during the course of the meeting.

The Commission also continued to be actively involved in Basket II negotiations at the Vienna Follow-Up Meeting. In addition to conducting negotiations with the other participating States, Commission staff involvement included: drafting U.S. speeches, position papers and briefing material, as well as working with officials from several U.S. Government agencies in formulating U.S. positions on a diverse range of Basket II issues and coordinating those positions with allied delegations.

The nuclear accident on April 26, 1986, at the Chernobyl nuclear station in the Soviet Union is the most serious to occur at any nuclear powerplant. It caused the largest number of casualties, released the greatest amount of radiation, and generated serious global repercussions. Although Basket II provisions do not specifically discuss nuclear safety or international obligations regarding nuclear accidents, each signatory to the Final Act did agree to ensure "that activities

carried out on its territory do not cause degradation of the environment in another state or in areas lying beyond the limits of national jurisdiction." In light of the dramatic effect of the Chernobyl nuclear accident on Europe, the Commission has followed developments related to the accident as part of its Basket II activities.

In light of the Soviet Union's CSCE commitments, a significant portion of the Commission's Basket II implementation report focused on Chernobyl: the accident, the Soviet response, the flow of information and contacts permitted and prohibited, the effect, the East European response, and international assistance. On March 31, the Commission took testimony from Igor Gerashchenko who was in Kiev during the Chernobyl accident. A graduate from the Kiev Polytechnical Institute, Mr. Gerashchenko had worked at the Thermonuclear Institute in Kiev as a senior engineer and later as a laborer in a factory in Kiev which produces and repairs equipment for nuclear powerplants. In concluding his testimony, Mr. Gerashchenko noted that Chernobyl demonstrated that there are no strictly "internal affairs" of any one country on nuclear issues. In addition, in April, Chairman Hoyer and Cochairman DeConcini issued a joint statement marking the first anniversary of the catastrophe. Senator John Heinz (R-PA), also a ranking member of the Helsinki Commission, made a statement which appeared in the Congressional Record on April 24, 1987.

Human Contacts

A substantial portion of the Commission staff's daily work focused on individual cases falling under the Final Act's human contacts provisions on family reunification, binational marriage, family visits and travel barriers between East and West. These cases constituted a major part of the Commission's total casework, and are handled jointly by a caseworker and country/area officers with the assistance of student interns.

The staff maintains files on several thousand human contacts cases and many hours are spent on casework correspondence and followup. Most of the incoming casework correspondence comes from individuals and organizations attempting to facilitate the emigration of their family, friends or colleagues from the Soviet Union and Romania, and Members of Congress seeking the Commission's assistance on behalf of their constituents. The Commission staff compiles and regularly updates lists of unresolved human contacts cases and maintains contact with U.S. Embassies throughout Eastern Europe and the Soviet Union to ascertain the most recent information on them.

The Commission regularly provides information on individual human contacts cases to congressional delegations visiting the Eastern bloc and to the U.S. delegation to the Vienna meeting. The Commission staff also spends time counseling and advising family members, concerned individuals, representatives of private groups, congressional staffs, and other governmental agencies on possible strategies to resolve human rights cases.

Periodically, the Commission presents lists of unresolved human contacts cases to representatives of Soviet and East European Governments. In April, while accompanying Speaker of the House, Jim Wright, on a congressional delegation visit to the Soviet Union, Chairman Steny H. Hoyer presented the Commission's list of unresolved Soviet human contacts cases to Ambassador Anatoly Dobrynin, head of the International Department of the Central Committee of the Communist Party of the Soviet Union. On the eve of Chairman Hoyer's visit to the Soviet Union, the Soviet Embassy had notified the Commission

that 137 cases raised by Chairman Hoyer and Cochairman DeConcini in November 1986 at the Vienna meeting had been resolved. This was the first time that the Soviet Government had ever responded directly to a list presented by the Commission. Nearly 45% of the cases presented to the Soviet delegation at the Vienna meeting in November 1986 were resolved in 1987. Chairman Hoyer also presented an updated Commission list in October during a meeting with the Soviet delegation to the Vienna meeting.

In February, during a visit to Prague, Commission Chairman Hoyer presented a list of unresolved Czechoslovak human contacts cases to Deputy Foreign Minister Jaromir Johannes. During an August-September Commission delegation visit to Romania and Bulgaria, Chairman Hoyer presented unresolved human contacts caselists to Romanian Foreign Minister Ioan Totu and Bulgarian Deputy Foreign Minister Luben Gotsev. On several occasions during the year, the Commission forwarded updated lists of unresolved human contacts cases to several East European embassies.

Military Security

Military security is an area in which the CSCE process plays an important role in East-West relations. At the Madrid Follow-Up Meeting a mandate for the Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE) was agreed to. CDE began January 17, 1984 in Stockholm and lasted for almost 3 years. The Document of the Stockholm Conference which was agreed to by all representatives of the 35 participants on September 19, 1986 contained concrete measures, which if implemented, would advance the principles of openness and predictability in the military security field of the CSCE process. Among the measures adopted were: (1) annual forecasts of military activities 1 year or more in advance, (2) expansion of the CDE zone of application to encompass more than 1,000 miles of territory east to the Urals, (3) mandatory written notification at least 42 days in advance of military activities exceeding the troop threshold of 13,000 and mandatory invitation of observers from all participating States when 17,000 or more troops is involved, and (4) on-site inspection without right of refusal though no state is obliged to accept on its territory more than three inspections and no more than one such inspection from the same state each calendar year.

The Commission closely followed implementation of the confidence-and security-building measures (CSBMs) contained in the Stockholm Document. Five on-site inspections were conducted pursuant to these provisions during 1987. The Commission held consultations with the Department of State prior to the administration's announcement of the U.S. request for an on-site inspection of a Soviet maneuver held near the city of Minsk, in the Belorussian Military District. The inspection, which took place between August 28-30, 1987, was the first ever of a military activity on Soviet territory. Other inspections occurred in the German Democratic Republic, Turkey, and the Federal Republic of Germany. In addition, 39 maneuvers were notified during 1987: NATO-13, Warsaw Pact-24, and NNa-2. Of these, 17 were observed by representatives of other participating States.

Conventional Stability Talks

A controversy among NATO allies on the role of military security talks in CSCE was resolved when the allies agreed to table a proposal that would place conventional forces

negotiations within the framework of the Helsinki process. The proposal was put forward at the July 10 plenary of the Vienna meeting. The proposal had been the subject of lengthy intra-alliance negotiations over insistence by France that any new conventional stability talks be closely linked with CSCE. On December 12, 1986, the Halifax Task Force issued the Brussels Declaration, according to which the United States and its allies expressed support for holding two separate and distinct negotiations on a mandate for conventional forces reduction and to build upon and expand the confidence- and security-building measures adopted at CDE. Later at a NATO ministerial meeting in Reykjavik during the spring of 1987, a communique was issued calling for conventional stability negotiations within the framework of CSCE though retaining autonomy as regards subject matter and modalities.

In 1987, in its effort to follow more closely the military security aspects of CSCE, the Commission increased its resources devoted to monitoring Basket I and participated with greater frequency at home and abroad in bilaterals, briefings, and meetings on military security issues. Consultations between Chairman Hoyer and Cochairman DeConcini with high ranking U.S. Government officials from the Departments of State and Defense as well as the National Security Council were held. In addition, bilaterals with ambassadors from the Soviet Union and Eastern Europe were held at which the military security aspect of Helsinki was thoroughly discussed.

A Commission delegation to the Vienna Follow-Up Meeting, led by Chairman Hoyer in October, met with Ambassador Steve Ledogar, U.S. representative to the Mutual Balanced Force Reduction (MBFR) talks and the conventional stability talks. The meeting was devoted to an exchange of views on the status of the conventional stability talks and their implication for CSCE. Later in the year at the invitation of the Commission, Ambassador Ledogar upon his return to Washington, briefed the Commission on the status of the talks.

V. PUBLIC HEARINGS

National Minorities in Eastern Europe: The Turkish Minority in Bulgaria

On February 3, the Commission held a hearing on the forced assimilation of the Turkish minority in Bulgaria, which began in 1984. Testifying on the issue were Mr. Thomas Caulfield Goltz, a journalist who has written on this issue; Mr. Halil Ibosoglu, an ethnic Turk and former member of the Bulgarian National Assembly; and Ambassador Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs and a Helsinki Commissioner.

Glasnost: The Soviet Policy of "Openness"

Glasnost, the new Soviet policy of "openness," or "publicity," was the subject of a Commission hearing on March 24. Expert witnesses discussed the meaning of glasnost, its impact on Soviet society, and its potential future. Testimony was heard from Dr. Marshall Goldman, associate director of Harvard University's Russian Research Center; Ambassador Arthur Hartman, the U.S. Ambassador to the Soviet Union for 5-1/2 years; Dr. Peter Reddaway, secretary of the Kennan Institute for Advanced Russian Studies; and Mr. I.F. Stone, a journalist with over 30 years experience writing about the Soviet Union.

Irina Ratushinskaya and Igor Gerashchenko

Dissident Soviet poet, Ms. Irina Ratushinskaya, testified before the Commission on March 31. Having just been released early from a Soviet labor camp where she had been sentenced to 7 years of hard labor and 5 years of internal exile for writing poetry, Ms. Ratushinskaya spoke on her religious beliefs, life in the Soviet labor camps, and on human rights in general in the Soviet Union. She was joined by her husband, Mr. Igor Gerashchenko, a thermophysical engineer, who spoke on the disaster at the Chernobyl nuclear energy facility.

National Minorities in Eastern Europe:
The Hungarian Minorities in Romania and Czechoslovakia

In its second hearing on minority rights, the Commission considered the status of the Hungarian minorities in Romania and Czechoslovakia. Appearing before the Commission on May 5, were Mr. Robert Robertson, a vice president for the Occidental Petroleum Company who has worked closely on economic exchanges between Romania and the United States; Dr. George Schopflin, a lecturer at the London School of Economics and the University of London's School of Slovonic Studies; Mr. Geza Szocs, a Romanian-born ethnic Hungarian who had been persecuted by the Romanian authorities for his work on behalf of the ethnic Hungarians; and Mr. Thomas Simons, Deputy Assistant Secretary of State in the Bureau of European and Canadian Affairs.

The Miroslav Medvid Incident

Pursuant to a resolution passed by the U.S. Senate directing the Helsinki Commission to investigate the Miroslav Medvid incident, the Commission held a hearing May 14 to receive and make public the findings, conclusions and recommendations of the Medvid investigative staff. Presentations were made by Mr. Paul D. Lamberth, project director; Ms. Barbara J. Cart, counsel; Mr. Frank G. Heath, staff investigator; and Dr. Howard Zonana, a member of a panel of expert psychiatric consultants to the investigation.

Dr. Anatoly Koryagin and Alexander Shatravka on
the Abuse of Psychiatry in the Soviet Union

Dr. Anatoly Koryagin testified before the Commission May 15 on psychiatric abuse in the Soviet Union. Just recently released from a Soviet prison, Dr. Koryagin was joined by Alexander Shatravka. Mr. Shatravka was a psychiatric patient whom Dr. Koryagin examined and found mentally healthy, leading Koryagin to expose the Soviet practice of imprisoning sane individuals for their political beliefs. Dr. Koryagin's expose resulted in his own imprisonment in 1979.

Religious Intolerance in
Eastern Europe and the Soviet Union

At a field hearing in Philadelphia, the Commission heard testimony from six expert witnesses on the problems of religious intolerance in Eastern Europe and the Soviet Union. Witnesses for the hearing, held on May 29, 1987, included Father Gheorghe Calciu, a dissident Orthodox priest from Romania who now lives in the United States; Rabbi Leonid Feldman, the first Soviet-born rabbi in the Conservative movement of American Judaism; the Reverend Ernest Gordon from the Christian Rescue Effort for the Emancipation of Dissidents (CREED); Father Roman Mirchuk, a Ukrainian Catholic priest; Ms. Margot Terentiew, editor of the Polish Daily News; and Ms.

Justine Wesnak, president of the Josef Cardinal Tomko Chapter of the Sovak Catholic Federation.

Gorbachev, Glasnost, and Eastern Europe

Glasnost was again the subject of a Commission hearing on June 18. Testimony focused on the potential impact that Secretary General Gorbachev's new policy might have on East European domestic developments and Soviet-East European relations. The expert witnesses included Ambassador Raymond Garthoff, senior fellow in foreign policy at the Brookings Institution and former Ambassador to Bulgaria; Dr. Kenneth Jowitt, professor of political science at the University of Berkeley; and Dr. Sarah M. Terry, professor of political science at Tufts University and fellow at Harvard University's Russian Research Center.

Human Rights in the Baltic

On October 6, three former human rights activists from Estonia, Latvia, and Lithuania testified before the Commission on human rights in the occupied Baltic States. The three witnesses, all of whom have served time in labor camps for their human rights activities, were Estonian Tiit Madisson, Latvian Rolands Silaraups, and Lithuanian Vytautas Skuodis.

Ukrainian and Georgian Human Rights Monitors

Human rights in Soviet Ukraine and Soviet Georgia was the focal point of a hearing October 22. The Ukrainian witnesses were Danylo Shumuk, the prisoner of conscience who has served longer than any other known Soviet prisoner and who was released only in January 1987, and Catholic activist Iosyf Terelya, who spent 18 years incarcerated for his religious activity. The Georgian witnesses were Eduard and Tenghiz Gudava. Tenghiz Gudava's membership in the Georgian Group to Monitor the Helsinki Accords resulted in his being sentenced to a labor camp and then exile. Eduard Gudava was sentenced to 4 years in a labor camp for demanding his brother's release.

Changing U.S. Attitudes Toward
Eastern Europe and the Soviet Union

On October 28, the Commission held a hearing to examine what impact General Secretary Gorbachev's reform program may have on U.S. views and policies toward Eastern Europe and the Soviet Union. The Commission heard testimony from Mr. Michael Kaufman, a visiting fellow at Harvard University's Russian Research Center and journalist who has reported extensively on Poland; Mr. Edward Kline, a board member of the International League for Human Rights and president of the Chekhov Publishing Corporation; Ambassador William Luers, former U.S. Ambassador to Czechoslovakia and current president of the Metropolitan Museum of Art; and Mr. Helmut Sonnenfeldt, a Soviet specialist for the Brookings Institution who previously served on the staff of the National Security Council and the State Department.

United States - Soviet Exchanges

The benefits and problems posed by United States-Soviet exchange programs were discussed by expert witnesses at a Commission hearing on November 17. Testifying at the hearing were Mr. Stephen Rhinesmith, coordinator of President Reagan's United States - Soviet Exchange Initiative; Mr. Jeremy Stone, director of the Federation of American Scientist, which has been actively involved in the promotion of congressional

exchanges with the Soviet Union; and Dr. Misha Tsypkin, who currently teaches at the Navel Post Graduate School in Monterey, California.

The Soviet Jewry Struggle

Five former Soviet refuseniks testified on the many human rights issues confronting Soviet Jews. Testimony was presented to the Commission on the eve of the Reagan-Gorbachev summit by Mr. Natan Sharansky, Moscow Helsinki Monitor and former prisoner of conscience who spent more than 9 years in Soviet prisons and labor camps, and Mr. Yuli Edelshtein, a Hebrew teacher who spent 3 years in prison on trumped-up drug charges. They were joined at the hearing by Ms. Ida Nudel, Mr. Vladimir Slepak, and Mr. Lev Elbert, all of whom were denied permission to emigrate for 16, 17, and 3 years, respectively, because they allegedly held "state secrets."

VI. REPORTS AND PRINTED DOCUMENTS

In addition to formal hearing records, the following reports and miscellaneous publications were issued by the Commission during 1987:

CSCE DIGEST--The Digest is a monthly publication of the Commission which offers current information on East-West issues, Commission activities, CSCE meetings and other current interest articles. It is disseminated to all Members of Congress, governmental and private organizations, press and the general public in the United States and Europe. The Digest has a circulation of over 4,000 in the United States and abroad.

A 3-volume report on implementation of the Final Act by the East bloc nations 11 years after its signing, was prepared and made available by the Commission.

A 2-volume analysis of the first two phases of the Vienna Review Meeting (4 November-20 December 1986 and 27 January-10 April 1987) was prepared by the Commission and distributed to the general public.

All U.S. delegation speeches delivered during the first three phases of the Vienna Review Meeting were compiled into three publications and made available to interested NGOs, press and other individuals.

The second volume of Documents of Helsinki Monitoring Groups of the U.S.S.R. (1976-1986) was issued by the Commission. This volume focused on Documents of the Ukrainian Monitoring Group.

On May 14, the Commission made public the Findings, Conclusions and Recommendations submitted to it by an investigative panel hired pursuant to Senate resolution, mandating an investigation into the Miroslav Medvid incident. The report was transmitted to all relevant, interested and involved governmental agencies and congressional committees for review and follow up.

Human Rights in Czechoslovakia: The Documents of Charter 77 (1982-87), a compilation of letters, pleas and other documents by Charter 77 signatories was edited and published by the Commission to commemorate the group's 10th anniversary.

The Helsinki Final Act in its entirety was republished for mass distribution by the Commission on the 12th anniversary of its signing.

A CSCE brochure describing the work of the Commission and the Helsinki process was printed in both English and Russian.

During 1987, the Commission published several op-eds in national newspapers such as the Washington Post, Baltimore Sun, Chicago Tribune and Miami Herald, dealing with such issues as psychiatric abuse, glasnost, arms control, human rights, and the McCarran-Walter Act.

A Congressional Update, published weekly for all congressional offices, reviews pending legislation dealing with CSCE issues and provides current information on Commission activities and East-West issues.

Miroslav Medvid Report: This report was prepared for the Commission in accordance with section 23(a)(2) of Senate Resolution 353, 99th Congress, 2nd Session (1986) and was submitted to Congress as directed on May 14, 1987. The Senate resolution directed the Commission to conduct an investigation into the attempted defection of Miroslav Medvid. The resolution also stipulated that the report contain findings of investigation on other similar incidents of involuntary repatriation of Soviet and Soviet bloc nationals and include recommendations for any appropriate changes in U.S. law.

The investigation was funded with $200,000 from the Senate Contingency Fund and conducted by two professional investigators, a staff attorney and an administrative assistant. More than 200 interviews and 100 informal contacts were conducted by the Medvid investigative team.

On May 14, 1987, the Commission held a hearing at which the investigative panel presented their findings, conclusions and recommendations to the public. Based upon a detailed review of the facts in the Medvid case and the applicable statutory and case law, the Medvid investigative staff concluded that:

1. White House, National Security Council, Department of State and Department of Justice officials deviated from constitutionally and congressionally mandated procedures. The failure to follow prescribed procedures centered on the assumption by the Department of State of operational control of the Medvid case and the abdication by INS of its jurisdictional responsibility of same in direct conflict with the intent of Congress as mandated under the Immigration and Nationality Act of 1952, as amended, 8 USC sections 1103(a) and 1158. This failure to follow lawfully prescribed procedures constituted violations of the provisions of the INA. Furthermore, the lines of responsibility were unnecessarily confused, resulting in unacceptable delays in planning, organization and execution.

2. INS, at the direction of executive branch officials, made no effort to "enforce" the subpoena issued by the Senate Agriculture Committee. By doing so, INS ignored their own regulations in violation of current law.

3. There is no evidence to support allegations that the decision to return Medvid to the M/V Marshal Konev on the evening of October 24, 1985 was made by anyone other than Border Patrol Agent Ernest Spurlock.

Current INS/Border Patrol procedures are adequate for disciplining Border Patrol agents who fail to follow proper procedures.

4. Allegations of a secret grain agreement to return deserting Soviet crewmen and of DOS intervention directing the return of the seaman to his ship are unsupported.

5. There is no evidence to support allegations of collusion and conspiracy between US and USSR officials to repatriate Medvid.

6. There was no Medvid imposter.

7. Medvid was administered drugs aboard the M/V Marshall Konev after his initial repatriation on October 25, 1985. Body fluid tests should have been taken for a more technically accurate diagnosis of residual drug effects.

8. INS/Border Patrol agents allowed the circumstances of Medvid's state of unconsciousness while on board the M/V Konev to inhibit decisive action under their lawful authority to remove him from the ship. As a result, the opportunity was lost. Nothing will compensate for this failure to take quick, firm action by United States officials.

Based upon its findings, the Medvid panel recommended that:

1. The INS is the lead agency responsible for asylum matters and must be allowed to operate accordingly.

2. INS should evaluate current procedures for the handling of cases where aliens are detained in order to make a sound determination about voluntary departure from the United States.

3. If the above recommendations are not endorsed, Congress should revise current law to clarify the role of DOS in these types of situations.

4. Crewman control provisions of the INA should be reviewed to assess whether or not deportable crewmen should be accorded the same due process as other aliens in deportation status.

5. The suggested standards for psychiatric evaluations of aliens as discussed in appendix B of the Medvid report should be adopted by INS by regulation, operational procedures or, failing that, by legislative mandate.

VII. MEDIA ACTIVITIES

From its inception, the Commission has been especially concerned with the publicity and lack of publicity of CSCE issues, especially those concerning the human contacts and humanitarian provisions of the Final Act. This concern stems from the belief that by holding up to public scrutiny violations of the Final Act by any of its signatories, accountability would become an important aspect of international debate and discussion between nations. Public and political pressures would coalesce to help bring about progress in respect for human rights and fundamental freedoms. To this end, the Commission, through a variety of media activities in 1987, sought to promote public awareness of the Helsinki process by providing current and insightful information on CSCE issues and provoking public discussion on East-West issues.

The Commission maintains contact with the media national, local and ethnic, in its efforts to place articles and communicate ideas, as well as make the Commission available as a resource on East-West and human rights concerns. The media divisions of U.S. Government agencies provide a further channel for Commission media outreach. Specifically, the Commission works closely with the language services of the Voice of America and the press service of the United States Information Agency. These organizations, including RFE/RL, are vital to the Commission's work because they serve as a lifeline to Soviet and East European audiences whose access to information is controlled in varying degrees.

An important component of the Commission's public outreach program is the monthly Commission newsletter, the CSCE Digest, which reports on a variety of CSCE developments. As one of the Commission's principle publications, the Digest serves as a vehicle for republishing Commissioner speeches, summarizing Commission hearings, reporting on official bilateral meetings, and publicizing related congressional activities. Reprints of foreign and domestic press reports are also included in the Digest as are analyses of selected issues. The Digest is disseminated to over 4,000 individuals and groups in the United States and abroad.

The Commission also notified the press of important CSCE developments by holding and participating in several press conferences. On April 9, the Chairman called a press conference following the announcement by Soviet officials of the resolution of 137 Commission family reunification cases. The press conference, which was also attended by Cochairman DeConcini and former Chairman D'Amato, received nationwide coverage, including front page coverage in the Los Angeles Times. Other press conferences in 1987 included the June 29 release of a videotape of conversations held in Moscow between the Chairman and several Soviet citizens denied permission to join their families in the West. Chairman Hoyer and Cochairman DeConcini also participated in press conferences on such subjects as the McCarran-Walter Act, the fate of Raoul Wallenberg and the plight of Soviet medical patients attempting to emigrate to the West for medical treatment or to be with their family during their illness.

In an attempt to reach national opinion makers, the Commission stepped up its press operation by increasing significantly the number of Commission speeches sent to columnists and editorial boards, and the placement of opinion columns on op-ed pages. In 1987, articles by Chairman Hoyer were published on the op-ed pages of four major national newspapers. On March 18, the Washington Times published the Chairman's "Ongoing Standoff in Prague," which concerned the repressed Czechoslovak Jazz Section. The column was written following the Chairman's visit to Prague in February. The spring saw two more op-ed columns appear under the Chairman's name: one, "The Dilemma Glasnost Poses for the Human Rights Community," appeared in the Chicago Tribune on April 6; another, "Scars of Soviet Psychiatric Abuse," appeared on April 25 in the Miami Herald. On September 2, following the Chairman's testimony before the House Foreign Affairs Subcommittee on Immigration, Refugees and International Law on the much-debated McCarran-Walter Act, an op-ed entitled "A National Embarassment: The McCarran-Walter Act is Waiting for Abuse" appeared in the Washington Post.

The Commission also engaged in a number of newspaper and television interviews in 1987. Chairman Hoyer appearing from Washington joined Ambassador Zimmermann in Vienna on a live interchange on Worldnet, USIA, regarding the Vienna meeting and the CSCE process. On March 16, the Washington Jewish Week conducted an interview with Chairman Hoyer on the subject of Soviet human rights practices. A second interview, with columnist David Broder of the Washington Post, followed the Chairman's April visit to the Soviet Union. The publicity which accompanied the Leonard Peltier case resulted in interviews with Chairman Hoyer on the CBS Evening News and on the MacNeil-Lehrer News Hour, PBS, on June 24. Following the Chairman's official delegation visit to Romania and Bulgaria in September, he was extensively interviewed through the radio, print, and television media on the Turkish minority in Bulgaria as well as his impressions of the human rights picture in Romania.

Chairman Hoyer was chosen to participate in the October 14 ABC "Capital-to-Capital" news program, in which he and Senator Daniel Patrick Moynihan engaged in a live interchange with members of the Supreme Soviet in Moscow on human rights in the Soviet Union and United States. This historic newscast, the second in a series of debates between Government officials of the United States and the Soviet Union, was viewed live and unedited by an audience of some 120 million Soviet citizens and approximately 15 million Americans.

While not one of the panelists, Chairman Hoyer was able to discuss human rights concerns from Washington with a Soviet audience in Moscow during the third ABC News "Capital-to-Capital" program, which aired November 18 and focused on regional issues and other aspects of United States-Soviet relations.

VIII. CONGRESSIONAL RELATIONS

Although the Commission is an independent agency with representation from the executive branch departments of Commerce, Defense, and State, 18 of the 21 Commissioners are Members of the House and Senate. In this regard, the Commission works closely with individual Members, committees, subcommittees, and the Congressional Research Service of the Library of Congress.

Inquiries Regarding Specific Cases

As a result of Commission outreach to congressional offices and an increase in the resolution of cases by the Soviet Union, the Commission staff in 1987 handled a significant increase in congressional requests for information on the status of individual cases. In addition, with the on-going Vienna Follow-Up Meeting, congressional offices were provided regular updates on the deliberations, as well as the subject matter and cases being discussed.

The Commission increased its role in making available information and briefing materials to Members of Congress who traveled to the Soviet Union and other Eastern bloc nations, or who would be meeting these nations' representatives in other venues, in 1987. The Commission provided information to the congressional delegation led by House Speaker Jim Wright, which traveled to the Soviet Union in April, as well as for Members participating in interparliamentary groups such as the North Atlantic Assembly and the European Parliament. In several instances, Commission staff conducted briefings for congressional delegations prior to their departure, as well as for Members of Congress prior to media appearances, such as the ABC's Capital-to-Capital program. Commission staff stepped up its activities in drafting statements for the Congressional Record as well as letters and statements for the Member's use.

In 1987, the Commission increased its clearinghouse activities for information about congressional activities on United States-European human rights and other Helsinki related issues. In the early part of the year, the Commission initiated a weekly CSCE Congressional Update which provided congressional offices with current information on CSCE related issues. The Update also served as a resource guide for congressional staff in alerting them to actions being taken on behalf of individual cases, legislation introduced, and Commission related functions.

In addition to the weekly Update, the Commission fielded inquiries from congressional offices as to what other offices

had been active in a particular case and what actions had been taken on behalf of that case. Many offices routinely send the Commission copies of letters they have sent or statements they have made regarding individual human rights cases so that the Commission can keep files current on such efforts.

The Commission maintained a computer list of congressional interest in cases and informed Members of actions taken by the Commission as it related to that case. Examples of this included presentation of unresolved caselists to Soviet and Eastern bloc officials, and visits by Commissioners to individuals in those countries. In turn, congressional offices were informed of these and other developments in particular cases and advised of the results of Commission consultations held with Soviet and East European officials abroad either at the Vienna meeting or within the signatory nation itself.

The Commission worked closely with, and provided information to, several congressional human rights groups again in 1987 including the Congressional Human Rights Caucus, the Congressional Arts Caucus, the Arms Control and Foreign Policy Caucus, the Interparliamentary Group on Human Rights in the Soviet Union, the Congressional Coalition on Soviet Jewry, and the Ad Hoc Committee on the Baltics and Ukraine. Prior to and during the December Reagan-Gorbachev summit, the Commission was deeply involved in coordinating a number of activities and press conferences with Commissioners, Members of Congress and nongovernmental organizations relating to religious rights; the denial of human rights in Ukraine and the Baltic States; the refusal of Soviet authorities to allow people with severe medical problems to seek medical treatment in the West; and pleas from divided spouses seeking reunification with their families.

Legislation Regarding CSCE Issues

While the Commission has no legislative authority, the Commission through its congressional Members initiates legislation and staff assists in drafting legislation dealing with CSCE issues and East-West relations in general.

Chairman Hoyer and Cochairman DeConcini sponsored legislation designating August 1, 1987, the 12th anniversary of the signing of the Helsinki Final Act, as Helsinki Human Rights Day. More than 65 Senators and 190 House Members cosponsored the resolution which became Public Law 100-82. This was the fourth consecutive year that Congress had set aside August 1 in commemoration of the signing of the Helsinki Final Act.

Cochairman DeConcini and Commissioner Chris Smith introduced into their respective bodies, Sense of Congress resolutions, calling for unrestricted visits between relatives in the United States and the Soviet Union. S. Con. Res. 29 passed the Senate on July 29, 1987 on a voice vote and its House companion, H. Con. Res. 68, was passed on October 27, 1987 by a vote of 405-0.

Chairman Hoyer was joined by Senator Larry Pressler in introducing legislation commemorating the 10th anniversary of the founding of Charter 77, the Czechoslovak human rights initiative. Commissioner Bill Richardson had an amendment approved to the International Security and Development Cooperation Act of 1987 (H.R. 3100) regarding violations of human rights in Bulgaria. Other amendments to H.R. 3100 included provisions related to human rights and the summit, Soviet policy on Jewish emigration and the reporting on Soviet hard currency, its sources and uses.

CoChairman DeConcini was joined by U.S. Senate Commissioners Lautenberg, D'Amato, Heinz and Wirth along with 19 other Senators in introducing S.J.Res. 235 commemorating the

Millenium of Christianity in Kievan Rus' and deploring the Soviet Government's active persecution of religious believers in Ukraine. Commission member and former Chairman, Senator Alfonse D'Amato, introduced S.J. Res. 203, which called upon the Soviet Union to immediately resolve all bilateral divided spouse cases. Similar legislation, H.J. Res. 376, was originally introduced by 10 Members of Congress, including Chairman Hoyer and former Chairman, Representative Dante Fascell. President Reagan signed the legislation into law. To date, all but three of the divided spouse cases specifically named in the legislation have been resolved.

Finally, the Commission also originated and helped to organize numerous "dear colleague" appeals on behalf of human rights abuses in the Eastern bloc and the Soviet Union. The Commissioners organized and participated in "special orders" and 1 minute speeches in the House and Senate on a broad range of issues from emigration to religious and cultural freedoms. In addition, 17 Commissioners sent a letter to President Reagan prior to his summit meeting with General Secretary Gorbachev expressing their strong support for him during the summit negotiations and urging that the issue of human rights be given prominence during those negotiations.

IX. WORKING WITH THE PUBLIC

The Helsinki Commission maintains close contact with representatives of a wide variety of human rights, ethnic, religious and civil rights groups in the United States and abroad which have an active interest in the CSCE process. Nongovernmental organizations are a critical source of ideas and information for the Commission which serves as a point of contact and information for NGOs on CSCE issues. The Commission also brings various CSCE-related concerns of private groups to the attention of government policymakers. In turn, the Commission tries to make government policies and activities on CSCE more accessible to NGOs.

Through hearings and briefings the Commission provides a public forum for the expression and exchange of NGO views. During 1987, Commissioners and staffers frequently met with representatives of private organizations, particularly right before leaving on visits to East bloc nations. NGO advice, assistance and concerns were solicited in preparation for such visits.

During 1987, Chairman Hoyer gave numerous speeches on CSCE topics, particularly human rights issues. A few of his speeches include: speaking in March to the Religious Action Center of Reform Judaism on glasnost, human rights and Soviet Jewry; addressing the spring session of the North Atlantic Assembly in Quebec, Canada, on the opportunities and dangers posed by glasnost for human rights and the Western alliance; speaking at a breakfast meeting, sponsored by the Jewish Community Relations Council of New York, in its Distinguished Legislator Series; marking Ukrainian Human Rights Awareness Day on May 27; testifying June 23 before the House Judiciary Subcommittee on Immigration, Refugees and International Law on the Helsinki dimension of the ideological exclusion provisions of the McCarran-Walter Act; and delivering the keynote address at Washington's National Cathedral on International Human Rights Day, December 10.

Since the first review meeting in Belgrade, Commission staff have served on the U.S. delegations to CSCE meetings and in addition to other duties and responsibilities acted as key liaisons with NGO representatives. Such liaison activity

included facilitating NGO access to conference sites, arranging appointments with American and other CSCE delegations, briefing NGOs on on-going negotiations, and supporting NGO efforts relating to the conference. The Commission has also widely publicized the proceedings by providing information to NGO groups, holding interviews with the NGO media, and distributing analyses on each phase of the Vienna meeting.

After each session of the Vienna Follow-Up Meeting, the State Department held briefings to keep the NGO community informed of the current status of the meeting. In April and September, Commission Staff Director, Ambassador Sam Wise, who also serves as deputy head of U.S. delegation to Vienna, together with State Department officers, was a featured speaker at these briefings.

During 1987, the Commission participated in an increasing number of various conferences, seminars, and meetings hosted by American and foreign professional associations, academic institutions and private organizations. Helsinki Commission staff activities included: briefing the American Bar Association on the Czechoslovak and Soviet human rights situations; speaking on Soviet dissent to Russian students at the University of Virginia; addressing a class at American University on human rights in Czechoslovakia; discussing the Soviet human rights situation with the American Latvian Association; and speaking on Soviet dissent at the Third General Chautauqua Conference on United States-Soviet Relations. In addition, the Commission continued to send its professional staff to brief organizations on various aspects of the CSCE process, including: students at the University of North Carolina at Greensboro and at Manhattan College in New York; the Federation of Ukrainian-American Students; the Political Club of Berlin in West Germany; the National Conference on Soviet Jewry; and the Ukrainian-American Professional Societies Leadership Conference.

Commission staff also participated in numerous meetings and conferences relating to CSCE and human rights issues, including: the Arden House Conference, "A New U.S.S.R.?;" a United States-Soviet delegation sponsored by the American Council for Young Political Leaders; a meeting in Vienna of the International Helsinki Federation; various sessions at the Kennan Institute for Advanced Russian Studies; a Committee on National Security conference; meetings of the Soviet Working Group at the Heritage Foundation; and lectures and conferences at numerous universities in the Washington, DC area.

During 1987, the Helsinki Commission was presented with several awards. On May 27, two former Helsinki Commission Chairmen, Congressman Dante Fascell and Senator Alfonse D'Amato, were honored at a special reception sponsored by the Philadelphia-based Ukrainian Human Rights Committee. On June 10, Chairman Hoyer was presented with the Baltic Freedom Award by the Joint Baltic American National Committee.

Appendix I

Commission on Security and Cooperation in Europe
1987

Steny H. Hoyer (D-MD) Chairman
Dennis DeConcini (D-AZ) CoChairman*

U.S. Senate Commissioners

Frank Lautenberg (D-NJ)**	Alfonse D'Amato (R-NY)
Timothy Wirth (D-CO)*	John Heinz (R-PA)
Wyche Fowler (D-GA)*	James McClure (R-ID)
Harry Reid (D-NV)**	Malcolm Wallop (R-WY)

*On February 26, pursuant to Public Law 94-304, as amended by Public Law 99-7, Senator Dennis DeConcini was designated Cochairman of the Commission and Senators Tim Wirth and Wyche Fowler were appointed to the Commission.

**On April 8, Senators Lautenberg and Reid were appointed to the Commission.

House of Representatives Commissioners

Dante B. Fascell (D-FL)	Don Ritter (R-PA)
Edward J. Markey (D-MA)	Chris Smith (R-NJ)
Bill Richardson (D-NM)*	Jack Kemp (R-NY)*
Edward Feighan (D-OH)*	John Porter (R-IL)*

*Appointed February 11, 1987 by the Speaker of the House to serve on the Commission.

**Representative Feighan was appointed to the Commission on February 26, 1987.

Executive Branch Commissioners

Department of State:
Honorable Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs.

Department of Defense:
Honorable Richard N. Perle, Assistant Secretary of Defense for International Security Policy

Department of Commerce:
Vacant

APPENDIX II

LEGISLATION RELATING TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Date	P.L./S. Res.	Title
June 3, 1976.....	94-304	To Establish the Commission on Security and Cooperation in Europe.
October 17, 1976.	94-534	Allowed that the Commission be deemed a Standing Committee of the Congress for use of funds under Section 502(b) of the Mutual Security Act of 1954 relating to International Travel.
October 7, 1978...	95-426	Amended the Commission's authorization from $350,000 to $550,000 each fiscal year.
August 15, 1979..	96-60	Add new subsection allowing that not more than $6,000 in appropriated funds could be used for official reception and representational purposes.
March 27, 1985...	99-7	To provide, among other things, for rotation of Commission chairmanship; to create official position of Co-chairman; to increase the number of Commissioners appointed; to allow that Commission employees be considered as congressional employees for purposes of pay and other employment benefits, rights and privileges (retroactive to June 3, 1976); and to remove limitation of $550,000 for Commission appropriation.
August 15, 1985..	99-88	Supplemental increase in FY 1986 Appropriation of $75,000.
December 19, 1985.	99-190	Amendment No. 113, allowing that printing and binding costs of the Commission be charged to the congressional printing and binding appropriation.
March 13, 1986...	353	Section 23, primarily to conduct an investigation into the defection attempt of Miroslav Medvid.
May 14, 1986.....	374	Amendment No. 1958, extending the date for the Commission's final report under S. Res. 353 from March 13 to May 14, 1987.

Public Law 94-304
94th Congress, S. 2679
June 3, 1976

An Act

To establish a Commission on Security and Cooperation in Europe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established the Commission on Security and Cooperation in Europe (hereafter in this Act referred to as the "Commission").

Commission on Security and Cooperation in Europe. Establishment. 22 USC 3001.

SEC. 2. The Commission is authorized and directed to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is further authorized and directed to monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West.

Functions. 22 USC 3002.

SEC. 3. The Commission shall be composed of fifteen members as follows:

Membership. 22 USC 3003.

(1) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the House, from the minority party. The Speaker shall designate one of the House Members as chairman.

(2) Six Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One member of the Department of State appointed by the President of the United States.

(4) One member of the Defense Department appointed by the President of the United States.

(5) One member of the Commerce Department appointed by the President of the United States.

Powers. 22 USC 3004.

SEC. 4. In carrying out this Act, the Commission may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

Presidential report to Commission. 22 USC 3005.

SEC. 5. In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report, the first one to be submitted six months after the date of enactment of this Act, which shall include (1) a detailed survey of actions by the signatories of the Final Act reflecting compliance with or violation of the provisions of the Final Act, and (2) a listing and description of

present or planned programs and activities of the appropriate agencies of the executive branch and private organizations aimed at taking advantage of the provisions of the Final Act to expand East-West economic cooperation and to promote a greater interchange of people and ideas between East and West.

Report to Congress. 22 USC 3006.

SEC. 6. The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this Act on a periodic basis and to provide information to Members of the House and Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to Congress a report on its expenditures under such appropriation.

Appropriation. 22 USC 3007.

SEC. 7. There is authorized to be appropriated to the Commission for each fiscal year and to remain available until expended $350,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this Act, such appropriation to be disbursed on voucher to be approved by the Chairman of the Commission.

22 USC 3008.

SEC. 8. The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

5 USC 5101, 5331.

Approved June 3, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1149 (Comm. on International Relations).
SENATE REPORT No. 94-756 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 122 (1976):
May 5, considered and passed Senate.
May 17, considered and passed House, amended.
May 21, Senate concurred in House amendment.

GPO 87-139

Public Law 94–534
94th Congress

An Act

To amend the Act of June 3, 1976, relating to the Commission on Security and Cooperation in Europe.

Oct. 17, 1976
[H.R. 15813]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (Public Law 94–304), is amended—

Commission on Security and Cooperation in Europe.
Ante, p. 662.
22 USC 3007.

(1) by inserting "(a)" immediately after "SEC. 7."; and

(2) by adding at the end thereof the following new subsection:

"(b) For purposes of section 502(b) of the Mutual Security Act of 1954, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to use funds in accordance with such sections.".

22 USC 1754.

Approved October 17, 1976.

92 STAT. 992 PUBLIC LAW 95–426—OCT. 7, 1978

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 702. (a) Section 7(a) of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3007(a)), is amended by striking out "$350,000" and inserting in lieu thereof "$550,000".

PUBLIC LAW 96-60—AUG. 15, 1979 93 STAT. 403

TITLE IV—MISCELLANEOUS PROVISIONS

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 401. Section 7 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3007), is amended by adding at the end thereof the following new subsection:

"(c) Not to exceed $6,000 of the funds appropriated to the Commission for each fiscal year may be used for official reception and representational expenses.".

Public Law 99-7
99th Congress

An Act

Mar. 27, 1985
[S. 592]

To provide that the chairmanship of the Commission on Security and Cooperation in Europe shall rotate between members appointed from the House of Representatives and members appointed from the Senate, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

MEMBERSHIP OF COMMISSION AND APPOINTMENT OF CHAIRMAN AND COCHAIRMAN

SECTION 1. (a) Section 3 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3003), is amended to read as follows:

"SEC. 3. (a) The Commission shall be composed of twenty-one members as follows:

"(1) Nine Members of the House of Representatives appointed by the Speaker of the House of Representatives. Five Members shall be selected from the majority party and four Members shall be selected, after consultation with the minority leader of the House, from the minority party.

"(2) Nine Members of the Senate appointed by the President of the Senate. Five Members shall be selected from the majority party of the Senate, after consultation with the majority leader, and four Members shall be selected, after consultation with the minority leader of the Senate, from the minority party.

"(3) One member of the Department of State appointed by the President of the United States.

"(4) One member of the Department of Defense appointed by the President of the United States.

"(5) One member of the Department of Commerce appointed by the President of the United States.

"(b) There shall be a Chairman and a Cochairman of the Commission.".

(b) Section 3 of such Act, as amended by subsection (a) of this section, is further amended by adding at the end thereof the following:

"(c) At the beginning of each odd-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Chairman of the Commission. At the beginning of each even-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Chairman of the Commission.

"(d) At the beginning of each odd-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Cochairman of the Commission. At the beginning of each even-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Cochairman of the Commission.".

22 USC 3003 note.

(c) On the effective date of this subsection, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members to serve as Chairman of the Commission for the duration of the Ninety-ninth Congress, and the Speaker of the House of Representatives shall designate one of the House Members to serve as Cochairman of the Commission for the duration of the Ninety-ninth Congress.

FUNCTIONS OF THE COMMISSION

SEC. 2. Section 2 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3002), is amended by inserting "human rights and" after "relating to" in the first sentence.

APPROPRIATIONS FOR THE COMMISSION

SEC. 3. Section 7(a) of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3007(a)), is amended to read as follows:

"SEC. 7. (a)(1) There are authorized to be appropriated to the Commission for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Appropriations to the Commission are authorized to remain available until expended.

"(2) Appropriations to the Commission shall be disbursed on vouchers approved—

"(A) jointly by the Chairman and the Cochairman, or

"(B) by a majority of the members of the personnel and administration committee established pursuant to section 8(a).".

FOREIGN TRAVEL FOR OFFICIAL PURPOSES

SEC. 4. Section 7 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3007), is amended by adding at the end thereof the following new subsection:

"(d) Foreign travel for official purposes by Commission members and staff may be authorized by either the Chairman or the Cochairman.".

STAFF OF THE COMMISSION

SEC. 5. Section 8 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3008), is amended to read as follows:

"SEC. 8. (a) The Commission shall have a personnel and administration committee composed of the Chairman, the Cochairman, the senior Commission member from the minority party in the House of Representatives, and the senior Commission member from the minority party in the Senate.

"(b) All decisions pertaining to the hiring, firing, and fixing of pay of Commission staff personnel shall be by a majority vote of the personnel and administration committee, except that—

"(1) the Chairman shall be entitled to appoint and fix the pay of the staff director, and the Cochairman shall be entitled to appoint and fix the pay of his senior staff person; and

"(2) the Chairman and Cochairman each shall have the authority to appoint, with the approval of the personnel and

administration committee, at least four professional staff members who shall be responsible to the Chairman or the Cochairman (as the case may be) who appointed them.

The personnel and administration committee may appoint and fix the pay of such other staff personnel as it deems desirable.

"(c) All staff appointments shall be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

5 USC 5101 *et seq.*, 5331.

"(d)(1) For purposes of pay and other employment benefits, rights, and privileges and for all other purposes, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5, United States Code.

"(2) For purposes of section 3304(c)(1) of title 5, United States Code, staff personnel of the Commission shall be considered as if they are in positions in which they are paid by the Secretary of the Senate or the Clerk of the House of Representatives.

Effective date.

"(3) The provisions of paragraphs (1) and (2) of this subsection shall be effective as of June 3, 1976.".

EFFECTIVE DATE

22 USC 3002 note.

SEC. 6. (a) Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of enactment of this Act or April 15, 1985, whichever is later.

(b)(1) The amendment made by subsection (b) of the first section shall take effect on the first day of the One Hundredth Congress.

(2) Subsection (d) of section 8 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (as added by section 5 of this Act), shall be effective as of June 3, 1976.

Approved March 27, 1985.

LEGISLATIVE HISTORY—S. 592:

CONGRESSIONAL RECORD, Vol. 131 (1985):
Mar. 6, considered and passed Senate.
Mar. 19, considered and passed House.

○

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $75,000, to remain available until expended.

December 19, 1985

H.J. Res. 465

Amendment No. 113: Conforms section number and amends the authorization for the Commission on Security and Cooperation in Europe to allow printing and binding costs of the Commission to be charged to the Congressional printing and binding appropriation, as proposed by the Senate.

INVESTIGATION BY THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 23. (a) It is the sense of the Senate that the Commission on Security and Cooperation in Europe (hereafter in this section known as the "Commission") should—

(1) conduct an investigation to determine—

(A) whether any officer or employee of the United States violated any law of the United States or any State or local law, including any statute, regulation, ordinance, or procedure promulgated pursuant to law, in connection with the defection attempt of Miroslav Medvid;

(B) the instances in which an individual (other than the individual referred to in clause (A)), who was a national of the Soviet Union or a Soviet-bloc Eastern European country, requested political asylum in the United States and was returned to the authorities of his country in violation of any United States, State, or local law, including any statute, regulation, ordinance, or procedure promulgated pursuant to law; and

(C) whether the treatment accorded to individuals described in clauses (A) and (B) requires changes in the laws of the United States; and

(2) submit a report, not later than one year after the date of adoption of this resolution, to the House of Representatives and the Senate on the findings of such investigation, including any recommendations for changes in the laws of the United States.

(b) Salaries and expenses in connection with the implementation of this section shall be paid from the contingent fund of the Senate out of the Account for Miscellaneous Items, subject to the following terms and conditions:

(1) The aggregate amount of salaries and expenses payable under this section shall not exceed $200,000.

(2) Such salaries shall be payable only for not more than five individuals at any time—

(A) who shall be employees of the Senate and shall be under the policy direction of the Chairman and Cochairman of the Commission; and

(B) who shall be appointed to perform services in the conduct of activities under this section, on or after the date of adoption of this resolution, and who shall have their compensation fixed at an annual rate, by the Secretary of the Senate, upon the joint recommendation of the Chairman and Cochairman of the Commission.

(3) Payment of expenses shall be disbursed upon vouchers approved jointly by the Chairman and Co-chairman of the Commission, and no voucher shall be required for the disbursement of a salary of an individual appointed under paragraph (2).

(4) For purposes of determining whether and to what extent any travel or other official expense incurred by the Commission in carrying out any activity under this section is payable from the contingent fund of the Senate, such expense shall be treated as if it has been incurred by a standing committee of the Senate and as if the Commission and its staff were members and staff, respectively, of such a committee.

(5) Any expense under this section may be payable only if—

(A) the Committee on Rules and Administration of the Senate approves;

(B) such expense is of the type for which payment may be made if incurred by a standing committee of the Senate;

(C) such expense is not attributable to the detailing of employees; and

(D) the payment of such expense is otherwise in accordance with all laws, rules, and regulations governing expenses of standing committees of the Senate.

(6) Not more than $20,000 of the funds made available by this subsection shall be available for the procurement by the Secretary of the Senate, upon the joint recommendation of the Chairman and Cochairman of the Commission, of services, on a temporary basis, of individual consultants, or organizations thereof, with the prior consent of the Committee on Rules and Administration of the Senate. Such services may be procured by contract with the providers acting as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate. Any such contract shall not be subject to the provisions of section 5 of title 41, United States Code, or any other provision of law requiring advertising.

(c) None of the funds may be obligated from the contingent fund of the Senate to carry out any provision of this section on or after a date 30 days after—

(1) the date on which the report described in subsection (a)(2) is submitted, or

(2) a date one year after the date of adoption of this resolution,

whichever comes first.

(d) For purposes of this section, the term "Soviet-bloc Eastern European country" includes Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania.

May 14, 1986

S. Res. 374

Amendment No. 1958:
(Purpose: To make technical amendments to S. Res. 353 of the 99th Congress)

At the appropriate place, insert the following new section:
Section 23 of S. Res. 353 of the 99th Congress (as agreed to by the Senate on March 13, 1986) is amended--

(1) by striking out in subsection (a)(2) "adoption of this resolution" and inserting in lieu thereof "May 14, 1986"

(2) by amending subsection (c) to read as follows:
"(c) None of the funds may be obligated from the contingent fund of the Senate to carryout any provision of this section on or after a date 30 days after the date on which the report described in subsection (a)(2) is submitted"

APPENDIX III

Commission Staff Responsibilities

Michael Amitay joined the Commission in September 1987 after pursuing graduate studies at the London School of Economics. He is on a 1 year assignment with CSCE and has primary responsibility for Turkey and acts as backup for Yugoslavia.

Meredith Brown joined the Commission staff in October 1986 and assists with emigration casework. After joining the U.S. delegation to the Vienna meeting during the fall months of 1987, Ms. Brown left the Commission to pursue graduate studies.

Catherine Cosman, a Soviet expert, has overall responsibility for human rights, including national, religious, political, economic and ethnic dissent in the U.S.S.R. With the Commission since 1976, Ms. Cosman has served on U.S. delegations to all three follow-up meetings. In addition, she serves as a commentator on Soviet society for a national public radio program.

Orest Deychakiwsky oversees emigration casework and the training and supervision of the Commission's interns. In addition, he acts as NGO and government liaison and covers Ukrainian national issues. His country responsibility is Bulgaria. Mr. Deychakiwsky, who speaks Ukrainian and has a working knowledge of Russian, most recently served on the U.S. delegation to the Vienna Follow-Up Meetings.

Joshua Dorosin joined the Commission in March 1987 after completing his graduate studies at the London School of Economics. His responsibilities at the Commission include Soviet and Romanian emigration casework, assisting in the compilation and editing of human rights' documents from the U.S.S.R. and Czechoslovakia, and coordination of Commission hearings. Mr. Dorosin possesses a good working knowledge of the Russian language.

John Finerty, fluent in Russian, has primary responsibility for Russian translating, preparation of U.S.S.R. human rights documents and reports, following political prisoners in the U.S.S.R., and maintaining files on the Soviet Union. During 1987, Mr. Finerty served on the U.S. delegation to the Vienna Follow-Up Meeting, traveled to the Soviet Union on a 3-week tour to interview officials of the Soviet Union and human rights activists on the status of Gorbachev's reform program, and also participated in discussions in Alabama with Soviet representatives at a 3-day forum of the American Council of Young Political Leaders.

Jane S. Fisher, Senior Staff Consultant, joined the staff in April 1987 and serves as liaison with the Commissioners and the Commerce Department. Ms. Fisher handles Basket II ecomomic and commercial questions for the Commission. In December, she traveled to the Vienna Follow-Up Meeting and to Geneva, where she represented the Commission at the United Nations Economic Commission for Europe, Committee Conference on the Development of Trade.

Mary Sue Hafner, Deputy Staff Director and General Counsel, is responsible for overall staff direction and acts as the central contact with the Commission Chairman and other Commissioners of both the legislative and executive branches. In addition, Ms. Hafner coordinates activities with the North Atlantic Assembly.

Robert Hand is responsible for monitoring compliance with the Basket II provisions of the Final Act dealing with economic, scientific, technological, and environmental cooperation. Mr. Hand has country responsibility for Hungary and Yugoslavia, and serves on the U.S. delegation to the Vienna meeting.

Judith Ingram follows human rights developments in Romania, Czechoslovakia, and Turkey. Her linguistical abililties include Russian, Hungarian, and French as well as a basic knowledge of German. She left in September on a 1-year leave-of-absence and is living in the Soviet Union.

Jesse Jacobs joined the Commission in the fall of 1986. His primary responsibilities encompass exchange programs, Soviet Jewry, congressional relations in addition to public affairs.

Ron McNamara follows military security issues, investigates and responds to domestic compliance issues and currently serves on the U.S. delegation to the Vienna Follow-Up Meeting.

Michael Ochs joined the Commission in October 1987 after finishing his doctoral thesis on Russian history at Harvard University. With primary responsibility for Poland and the German Democratic Republic, Mr. Ochs also deals with Soviet issues. Mr. Ochs is fluent in Russian, Polish and German.

R. Spencer Oliver as a Senior Staff Consultant to the Commission, briefs Foreign Affairs Chairman Dante Fascell on CSCE issues.

Leonard Steinhorn who left the Commission on January 4, 1988 had responsibilities which included speechwriting, editing, preparation of the CSCE monthly Digest and general press operations.

Erika Schlager joined the Commission in September on a 1-year assignment while on leave from the Law School of the University of North Carolina at Chapel Hill. Ms. Schlager holds a master's degree in Soviet Studies from Harvard University and has a diploma in International and Comparative Law of Human Rights from the International Institute of Human Rights Law in Strasbourg, France. She has country responsibility for Romania and Czechoslovakia, and area responsibility for matters relating to the International Covenants. She was primarily responsible for the editing of human rights documents from citizens' groups in Czechoslovakia. Ms. Schlager has a reading knowledge of French, Polish, and Russian.

Thomas Warner: The Commission utilizes the services of a printing clerk on loan from the U.S. Government Printing Office. Mr. Warner is responsible for the preparation and printing of Commission hearings, official reports, and other documents.

Samuel Wise, Staff Director, has been with the Commission since October 1977. A retired Foreign Service Officer, Ambassador Wise, in addition to staff direction, currently serves as deputy head of U.S. delegation to the Vienna meeting. Fluent in Italian, with a good working knowledge of Russian, German and experienced in CSCE negotiations, Ambassador Wise has participated in nearly every CSCE meeting since the 1977-78 Belgrade Follow-Up Meeting.

Judi Kerns joined the Commission on August 31 as office manager. Ms. Kerns is a recent graduate of the University of Maryland and serves as the Commission's budget officer.

Gina Harner joined the Commission in September. Ms. Harner comes to the Commission after having worked in several congressional offices, including 3 years with Representative Alan Wheat. A graduate of the University of Maryland, Ms. Harner serves as the Commission's administrative assistant.

The Commission was valuably assisted by many students during 1987, some of whom participated in the American University Semester Program during the fall and spring of 1986. These students worked part time and earned academic credit for their work. The Commission also utilized the services of several interns during the summer--Howard Sobkov, Lindsay Demidovich, Thomas J. Bodie, and Michael A. Eckstein. Kerry Schloeder interned with the Commission for approximately 6 months.

APPENDIX IV

Hearings

1977

East West Economic Cooperation: January 13, 14
Human Rights: February 3, 4
Religious Liberty and Minority Rights in the Soviet Union: April 27, 28
Helsinki Compliance in Eastern Europe: May 9
Information Flow, and Cultural and Educational Exchanges: May 19, 24, 25
Soviet Helsinki Watch, Reports on Repression: June 3
U.S. Policy and the Belgrade Conference: June 6

1978

The Right to Citizenship in the Soviet Union: May 4
Soviet Law and the Helsinki Monitors: June 6
Repercussions of the Trials of the Helsinki Monitors in the U.S.S.R.: July 11

1979

U.S. Compliance: Human Rights: April 3, 4
U.S. Visa Policies: April 5
Aleksandr Ginzburg on the Human Rights Situation in the U.S.S.R.: May 11
Pastor Georgi Vins on the Persecution of Reformed Baptists in the U.S.S.R.: June 7
On Human Rights Violations in Ukraine: July 19

1980

The Helsinki Forum and East-West Scientific Exchange: January 31. Joint Hearing of the Committee on Science and Technology, Committee on Foreign Affairs and the Commission on Security and Cooperation in Europe
Review of Implementation of Basket II: March 6
Review of East European Compliance with the Human Rights Provisions of the Helsinki Final Act: March 25
Soviet Treatment of Ethnic Groups: April 29
Religious Rights in the Soviet Union and Eastern Europe: May 21

1981

Soviet Violation of Helsinki Final Act: Invasion of Afghanistan: July 22. Joint Hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe
Religious and National Dissent in Lithuania: August 5
Fifth Anniversary of the Formation of the Ukrainian Helsinki Group: November 16
The Crisis in Poland and its Effects on Helsinki Process: December 28

1982

Phase IV of the Madrid CSCE Review Meeting: March 23
Soviet Involvement in the Polish Economy: April 1
The Assassination Attempt on Pope John Paul II: September 23

1983

The Plight of Soviet Jewry: June 23--Joint hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe
Psychiatric Abuse in the Soviet Union: September 20--Joint hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe
Forced Labor in the U.S.S.R.: November 7--Joint Hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe

1984

The Situation of Andrei Sakharov and Unofficial Peace Groups in the U.S.S.R. and Eastern Europe: May 22

1985

The Ottawa Human Rights Experts Meeting and the Future of the CSCE Process: June 25
Human Rights Abuses in Cyprus: July 20 (New York, NY)
Soviet Forced Labor Practices: August 15 (Buffalo, NY)
Human Rights and the CSCE Process: October 3
Soviet Violations of the Helsinki Accords in Afghanistan: December 4
Restrictions on Artistic Freedom in the Soviet Union and the Budapest Cultural Forum: October 29 and December 11

1986

1952 McCarran-Walter Act: February 6
Human Rights and the CSCE Process in Eastern Europe: February 25
Human Rights and the CSCE Process in the Soviet Union: February 27
The Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe and the Future of the CSCE Process: March 25
Soviet and East European Emigration Policies: April 22
Natan Shcharansky on the 10th Anniversary of the Moscow Helsinki Monitoring Group: May 14
Bern Human Contacts Experts Meeting: March 18 and June 18
Stockholm Meeting of the Conference on Confidence- and Security-Building Measures and Disarmament in Europe: October 1

1987

National Minorities in Eastern Europe: The Turkish Minority in Bulgaria: February 3
Glasnost: The Soviet Policy of Openness: March 24
Irina Ratushinskaya and Igor Gerashchenko: March 31
National Minorities in Eastern Europe: The Hungarian Minorities in Romania and Czechoslovakia: May 5
Miroslav Medvid Investigation: May 14
Dr. Anatoly Koryagin and Alexander Shatravka on the Abuse of Psychiatry in the Soviet Union: May 15
Religious Intolerance: Field Hearing in Philadelphia: May 29
Gorbachev, Glasnost, and Eastern Europe: June 18
Human Rights In the Baltic Nations: October 6
Ukrainian and Georgian Helsinki Monitors : October 22

Changing U.S. Attitudes Toward Eastern Europe and the Soviet Union: October 28
U.S. - Soviet Exchange Programs: November 17
The Soviet Jewry Struggle: December 4

Semiannual Reports

Every 6 months since the creation of the Commission, the President, coordinating with the State Department, publishes a report on the implementation of the Helsinki Final Act which is sent to the Commission. As of 1 October 1987, 23 semiannual reports have been published and disseminated.

Commission Reports

1977

Reports of the Helsinki Monitors in the Soviet Union:
Volume I: 2/77
Volume II: 6/3/77
Implementation of the Final Act of the CSCE: Findings and Recommendations: Two Years after Helsinki: 9/23/77

1978

Reports of the Helsinki Monitors in the Soviet Union:
Volume III: 11/7/78
The Right to Know, the Right to Act--Documenting Helsinki Group dissent from the Soviet Union and Eastern Europe: (5/78)
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